HUD Project #: 121-98124

July 11, 2023

Shannon Bergman
Department of Housing and Urban Development
Multifamily Insured Production
One Sansome Street, 11th Floor
San Francisco, CA 94104

Re: Adoption of Environmental Assessment Report
1178 Sonora Court

The California Housing Finance Agency, as the HUD Responsible Entity for the aforementioned project, is adopting the Environmental Assessment report dated October 1, 2021, which was prepared by Rincon Consultants, Inc. on behalf of the City of Sunnyvale. The report is being adopted to meet HUD's environmental review requirements related to the 542(c) Risk Sharing Program. A description of the adoption and changes to the existing report are outlined below.

## Adoption Description

- A description of the current action;
  - The California Housing Finance Agency (CalHFA) as the Responsible Entity, is adopting Environmental Assessment dated October 1, 2021 and prepared on behalf of the City of Sunnyvale. CalHFA will use the report for the Request for Release of Funds related to the 542(c) HUD/RS program.

- The name and date of the existing NEPA document that describes and analyzes the action;
  - Environmental Assessment prepared by Rincon Consultants, Inc. and dated October 1, 2021 to obtain HUD approval for Project Based Section 8 Vouchers. Report was properly noticed and posted to the public. The report was submitted to HUD with a Request for Release of Funds (RROF). A copy of the signed Authority to Use Grant Funds (form HUD-7015.16) dated January 31, 2022 was received.

- A statement that the existing NEPA document has been reviewed and that there are no substantive differences between the current proposal and its associated environmental impacts and the proposal and impacts as described in the existing NEPA document and associated decision document;
  - The Environmental Assessment report was reviewed by Bay Desert, Inc. There have not been material changes to the project or financing structure that would warrant modifying the existing report or preparing a new report.
  - The existing report was properly noticed and submitted to HUD with a Request for Release of Funds (RROF). A copy of the signed Authority to Use Grant Funds (form HUD-7015.16) dated January 31, 2022, was received.

- Bay Desert Inc. and CalHFA will coordinate posting a FONSI notice and repost the report for public comment prior to submitting for RROF.

- A reference to correspondence documenting updated consultation if other required consultation processes have been updated;

  - Email #1 dated 06/20/2023 from Cinnamon Crake, Bay Desert, Inc.: Reviewed report and found it adoptable as the Environmental Assessment is complete and the record is thorough and defensible. No deficiencies were identified, and only Mitigation Measures were noted which are included in this adoption letter. Cinnamon also provided an invoice for a peer review of NEPA documents for acceptability for adoption, to prepare FONSI/NOI RROF notice, prepare a mailing list of interested parties, mail out notices, respond to any comments, preparation of 7015.15, and prepare mitigation monitoring and reporting program document per HUD requirements.

- Notification to the preparing entity; and
  - Email #2 dated 06/21/2023 from CalHFA to the City of Sunnyvale: Notifying the City of Sunnyvale of CalHFA's plans to adopt the Environmental Assessment report.

- Mitigation Measures Required
  - *Vapor Barrier* – Prior to building construction, a vapor barrier membrane shall be installed to prevent the potential for soil gas VOCs from migrating into indoor air.
  - *Nesting Birds* - If construction occurs between February 1st and August 31st a qualified biologist shall conduct a pre-construction survey for nesting birds no more than 14 days prior to construction. During construction, active nests identified during the preconstruction survey shall be monitored by the qualified biologist to determine if construction is causing any disturbance. A nest monitoring report shall be prepared by the qualified biologist at the time monitoring has been completed.
  - *Worker's Environmental Awareness Program* – A qualified archaeologist should be retained to conduct a Worker's Environmental Awareness Program training on archaeological sensitivity for all construction personnel prior to the commencement of any ground-disturbing activities.
  - *Unanticipated Discovery of Cultural Resources* – If archaeological resources are encountered during ground-disturbing activities, work in the immediate area should be halted and an archaeologist meeting the Secretary of the Interior's Professional Qualification Standards for archaeology should be contacted immediately to evaluate the find.
  - *Human Remains* – If human remains are found, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition.
  - *Noise Abatement* – Common outdoor space includes a building courtyard. Exterior noise levels from rail and traffic noise would be 62 dBA DNL at the proposed building courtyard. Therefore, noise levels at exterior use areas would be acceptable.
    Noise levels at building façades would be 70 dBA DNL or less at the majority of building façades. Standard construction techniques for wood-frame construction buildings required under the California Building Code typically achieve a minimum 25-dBA reduction from exterior sources at interior locations when the windows are in a closed position. Therefore, noise levels at most habitable interior spaces would attenuate to interior noise levels of 45 dBA DNL or less without any noise attenuation measures.

Noise levels at the eastern façade for the fifth through seventh floors would reach up to 71 dBA DNL. Pursuant to the requirements of the Lawrence Station Area Specific Plan (LSAP) EIR, an analysis of noise attenuation measures will be prepared when building plan details are available. The analysis will demonstrate that interior noise levels will be maintained below 45 dBA DNL and will prescribe window and door sound transmission class (STC) ratings as necessary. Therefore, interior noise levels would meet the HUD interior noise standard of 45 dBA DNL and interior noise exposure would be acceptable.

Changes to Environmental Assessment dated October 1, 2021,
prepared on behalf of the City of Sunnyvale, by Rincon Consultants, Inc.

Page 1:

- Project Name: 1178 Sonora Court
- Responsible Entity:
  - California Housing Finance Agency
    500 Capitol Mall, Suite 1400
    Sacramento, CA 95814
- Grant Recipient (if different than Responsible Entity): California Housing Finance Agency
- State/Local Identifier: 23-006 A/X/N
- Certifying Officer Name and Title: Tiena Johnson Hall, Executive Director
- Consultant (if applicable): Bay Desert, Inc.
- Direct Comments To:
  - Amy Feulner, Loan Administrator
    500 Capitol Mall, Suite 1400
    Sacramento, CA 95814
    (916) 326-8804
    afeulner@calhfa.ca.gov

**Page 2:**

- Description of the Proposed Project (updated information highlighted):
  1178 Sonora Court (project) would involve the demolition of an existing commercial structure and subsequent construction, anticipated to begin late 2023 and last approximately 24 months, of a seven-story residential building on the project site, operated by MP Sonora Court

Associates, L.P. The project site itself would be leased from the City of Sunnyvale. Site preparation activities would include demolition, some excavation for foundation and utilities work, and grading of the site prior to construction of the residential building. The project would consist of a seven-story building, 75 feet in height, with 176 units and associated amenities including laundry rooms, mail rooms, and building management offices. There would be 133 parking spaces, including 18 electric vehicle spaces and 13 ADA parking spaces, and 203 bicycle parking spaces proposed as part of the project which would be located on the first and second floor of the residential building. The first floor would also include building management offices, a mail room, and residential lobbies with frontage on San Zeno Way and Sonora Court. Private open space in the form of a community plaza in the center of the third floor is also proposed. New sidewalks would be built around the northern and eastern perimeter of the project site to provide connections to adjacent sidewalks.

Of the proposed 176 units, 39 would be studios, 47 would be one-bedroom units, 45 would be two-bedroom units, and 45 would be three-bedroom units. Included in the 176 units are two manager's units. Alternate units would have different square footages and non-standard floor plans compared to other units of that bedroom count. Except for the manager's units, all of the residential units would be affordable.

Landscaping on the project site would include five species of trees, 15 species of shrubs and grasses, one species of vine, and seven species of groundcover along the perimeter of the project site and within the private landscaped courtyard.

**Page 9:**

- Grant Number: 121-98124
- HUD Program: YHC 542(c)- HFA Risk Sharing – FFB NC
- Funding Amount: $26,723,000
- Estimated Total HUD Funding Amount: $26,723,000
- Estimated Total Project Cost: $165,973,650

**Page 43:**

- Determination:

☒ **Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]
The project will not result in a significant impact on the quality of the human environment.

☐ **Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]
The project may significantly affect the quality of the human environment.

Certifying Officer Signature: _____ Date: July 12, 2023

Name/Title: Tiena Johnson Hall, Executive Director_____

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

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# Environmental Assessment
# Determinations and Compliance Findings for HUD-assisted Projects
# 24 CFR Part 58

## Project Information

| | |
|---|---|
| **Project Name:** | 1178 Sonora Court Affordable Housing Project |
| **Responsible Entity:** | City of Sunnyvale<br>456 West Olive Avenue<br>Sunnyvale, California 94086 |
| **Grant Recipient** (if different than Responsible Entity): | MidPen Housing Corp<br>1970 Broadway, Suite 100<br>Oakland, California 94612 |
| **State/Local Identifier**: | |
| **Preparer:** | Leif Christiansen, Housing Programs Analyst<br>City of Sunnyvale<br>456 West Olive Avenue<br>Sunnyvale, California 94086 |
| **Certifying Officer Name and Title:** | Kent Steffens, City Manager |
| **Consultant** (if applicable): | Rincon Consultants, Inc. |
| **Direct Comments to:** | Leif Christiansen<br>lchristiansen@sunnyvale.ca.gov<br>City of Sunnyvale |

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**Project Location:**

The 1.26- acre project site (Santa Clara County Assessor's Parcel Number 205-50-013), is located at 1178 Sonora Court, east of San Zeno Way and Lawrence Expressway, in the City of Sunnyvale, California. The site has frontage on the southern side of Sonora Court and directly abuts the Lawrence Caltrain Station. The site is located in eastern Sunnyvale, approximately 1.3 miles south of Highway 101 (Hwy 101). Regional access is also provided by Lawrence Expressway, Capitol Expressway, San Tomas Expressway, and El Camino Real.

Figure 1 shows the location of the project site within the region and Figure 2 shows the project site's immediate location.

**Description of the Proposed Project** [24 CFR 50.12 & 58.32; 40 CFR 1508.25]**:**
The 1178 Sonora Court Affordable Housing Project (project) would involve the demolition of an existing commercial structure and subsequent construction, anticipated to begin early 2023 and last 24 months, of a seven-story residential building on the project site, operated by MP Sonora Court Associates, L.P. The project site itself would be leased from the City of Sunnyvale. Site preparation activities would include demolition, some excavation for foundation and utilities work, and grading of the site prior to construction of the residential building. The project would consist of a seven-story building, 75 feet in height, with 176 units and associated amenities including laundry rooms, mail rooms, and building management offices. There would be 134 parking spaces, including 17 electric vehicle spaces and 13 ADA parking spaces, and 212 bicycle parking spaces proposed as part of the project which would be located on the first and second floor of the residential building. The first floor would also include building management offices, a mail room, and residential lobbies with frontage on San Zeno Way and Sonora Court. Private open space in the form of a community plaza in the center of the third floor is also proposed. New sidewalks would be built around the northern and eastern perimeter of the project site to provide connections to adjacent sidewalks.

Of the proposed 176 units, 39 would be studios, 47 would be one-bedroom units, 45 would be two-bedroom units, and 45 would be three-bedroom units. Included in the 176 units are two manager's units. Alternate units would have different square footages and non-standard floor plans compared to other units of that bedroom count. Except for the manager's units, all of the residential units would be affordable.

Table 1 summarizes the unit mix for the affordable housing project.

Landscaping on the project site would include four species of trees, 17 species of shrubs and grasses, one species of vine, and four species of groundcover along the perimeter of the project site and within the private landscaped courtyard.

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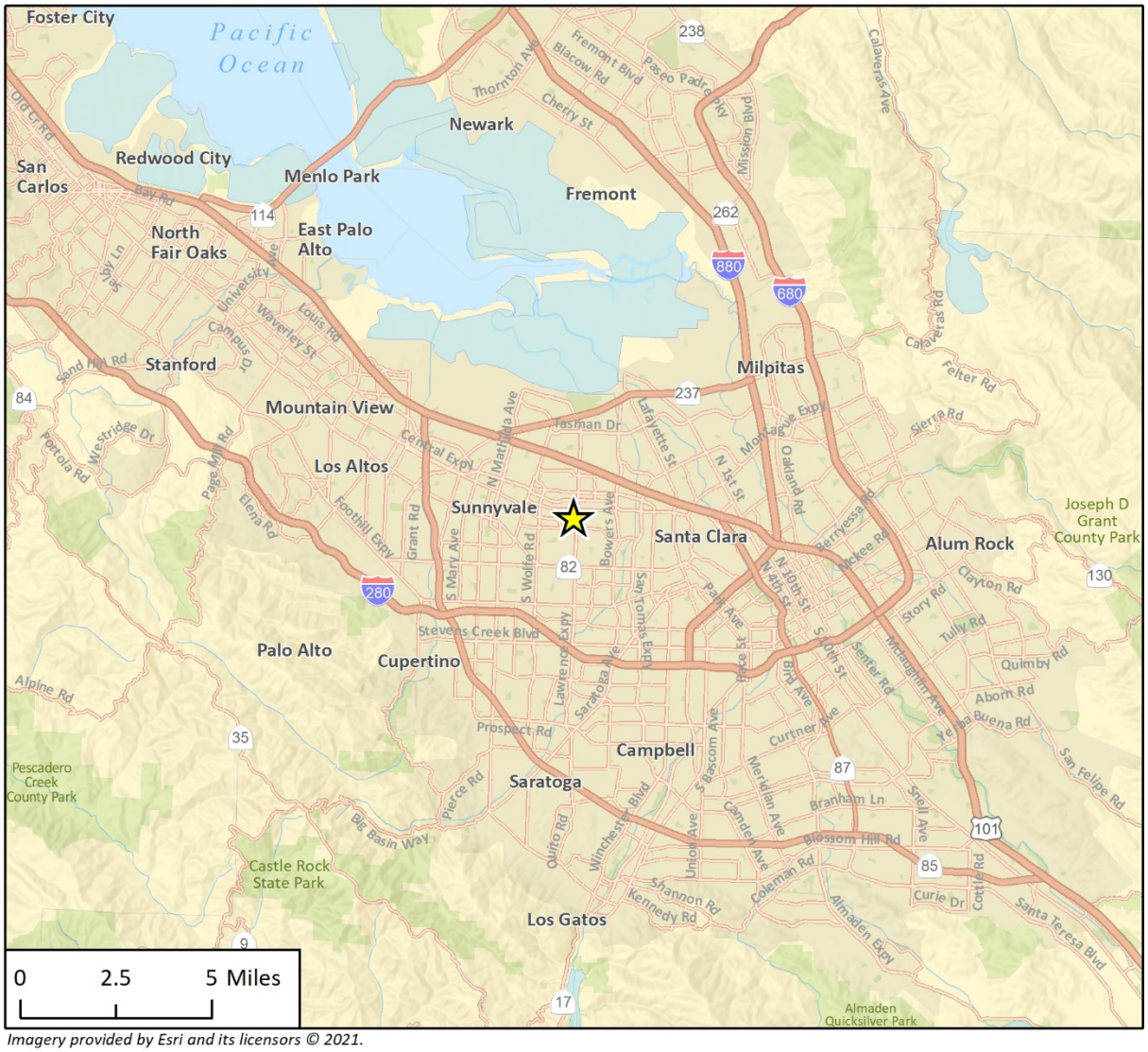
# Figure 1 Regional Location

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Project Location

N

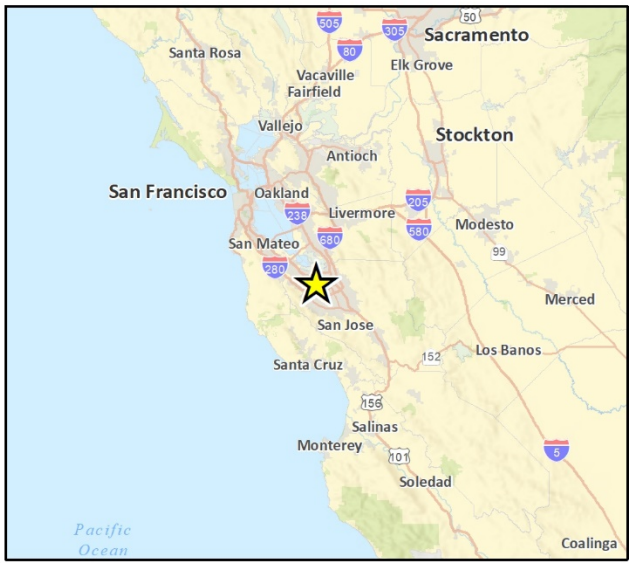


Fig 1 Regional Location

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**Figure 2 Project Location**


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Fig 2 Project Location

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**Table 1: Project Summary**

| Unit Type | Unit Floor Area (square feet_ | Gross Floor Area (square feet) | Number of Units |
|---|---|---|---|
| Studio Plan 1 | 330 | 11,220 | 34 |
| Studio Plan 2 | 385 | 1,925 | 5 |
| 1 – Bedroom Plan 1 | 485 | 8,730 | 18 |
| 1 – Bedroom Plan 2 | 465 | 1,860 | 4 |
| 1 – Bedroom Plan 3 | 530 | 10,600 | 20 |
| 1-Bedroom Plan 4 | 510 | 2,550 | 5 |
| 2-Bedroom Plan 1 | 720 | 17,280 | 24 |
| 2-Bedroom Plan 2 | 750 | 15,000 | 20 |
| 3 – Bedroom Plan 1 | 980 | 3,920 | 4 |
| 3 – Bedroom Plan 2 | 985 | 14,775 | 15 |
| 3 – Bedroom Plan 3 | 1,070 | 5,350 | 5 |
| 3 – Bedroom Plan 4 | 1,060 | 5,300 | 5 |
| 3 – Bedroom Plan 5 | 1,030 | 10,300 | 10 |
| 3 – Bedroom Townhome | 1,030 | 5,150 | 5 |
| **Rentable Building Area** | | **113,960** | **174** |

**Utilities and Services**
The project would include utility connections in accordance with requirements of the applicable utility providers for water, sewer, stormwater drainage, power, and telecommunications services. These utilities would connect to existing infrastructure in the vicinity of the project site. Pacific Gas & Electric would provide electrical and natural gas services, the City of Sunnyvale would provide water and sewer service, storm water, and sewer services to the project site. Solid waste services for the project site would be provided by Specialty Solid Waste & Recycling. The project would rely on existing public services including, but not limited to, City of Sunnyvale police and fire protection, and parks and open spaces provided by the City of Sunnyvale, the County of Santa Clara, and the State of California.

**Statement of Purpose and Need for the Proposal** [40 CFR 1508.9(b)]:
The purpose of the proposal is to construct a transit-oriented residential development in the City of Sunnyvale near the Lawrence Caltrain Station. Of the 176 units, two are unrestricted managers' units and 174 units would serve residents with incomes at or below 80 percent of Area Median Income (AMI). Of the 174 housing units, 39 would be studios, 47 would be one-bedroom units, 44 would be two-bedroom units, and 44 would be three-bedroom units. Of the two manager's units, one would a two-bedroom unit and one would be a three-bedroom unit.

**Existing Conditions and Trends** [24 CFR 58.40(a)]:
EXISTING CONDITIONS
Sunnyvale is a city on the southwestern shore of the San Francisco Bay in Northern California, United States. Sunnyvale is located in northern Santa Clara County. Its neighbors to the south are the cities of Cupertino and San Jose. To the north is the San Francisco Bay, to the east is the City of Santa Clara, and to the west is the city of Mountain View. The population was 156,503 on January 1, 2020 (Source 1)

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**Figure 3 View of the Project Site from the East**

**Figure 4 View of the Northwest Corner of the Project Site**

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**Figure 5 View of the Southwest Corner of the Project Site**


**Figure 6 View of the Structure in the Southeast Corner of the Project Site**

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The project site is located within an urbanized area of the City of Sunnyvale, California and surrounded by mostly commercial and transit uses. As shown in the Zoning Map of the City of Sunnyvale, the project site is zoned as Flexible Mixed Use I (MXD-1) District. The site occupies the southwestern corner of Sonora Court and San Zeno Way in eastern Sunnyvale. The site is located within an area governed by the 2015 Lawrence Station Area Plan.

SITE CHARACTERISTICS

The project site is a 1.26-acre square parcel. The site is currently developed with a commercial building (previously a sheet metal fabrication shop) and an asphalt surface parking lot. Vehicular access to the project site is provided via a single driveway on Sonora Court and an additional restricted driveway on San Zeno Way. The project site directly abuts the Lawrence Caltrain Station to the south and a chain link fence extends along the southern boundary of the project site. Mature street trees line the perimeter of the project site along San Zeno Way and Sonora Court

TRENDS

The following describes local housing trends in the area:

- Housing Opportunities for Families: The City of Sunnyvale General Plan, 2015 to 2023 Housing Element identifies that families comprise the majority of households in Sunnyvale. Families without children represent 33 percent of family housing in the city and families with children represent the remaining 33 percent.
- Housing Opportunities for Single-Person Households: The City of Sunnyvale General Plan, 2015 to 2023 Housing Element identifies that 25 percent of its households belong to single-person households due to the City's employment base of high technology and emerging industry firms which employ young single adults. The City's single-person household percentage is higher than the County of Santa Clara's at 22 percent of households belong to a single-person. This population would require smaller, higher density and mixed-use units close to transportation and services, as well as larger housing types suitable for families.
- Housing Opportunities for Seniors: The City of Sunnyvale General Plan, 2015 to 2023 Housing Element identifies that seniors, ages 65 and above, comprise 11 percent of Sunnyvale's residents and represent a growing segment of the City's population. Approximately 17 percent of all households are headed by a senior, three-quarters of which are homeowners and nearly 40 percent of the City's households are seniors living alone.
- Senior Population: Prevalence of disabilities, limited income, illness and dependency increases as the population ages. This population would require health care and supportive housing and access to public transit. Additionally, seniors with severe mobility or frail seniors may require paratransit or taxi services.
- Housing Opportunities for Female Headed Households: The City of Sunnyvale General Plan, 2015 to 2023 Housing Element identifies that there are 4,629 female-headed households in Sunnyvale, over a third of which have children. Of the 1,960 female-headed households with children, approximately 49 percent live in poverty. Challenges to this population include lower incomes, limited housing options, and access to private services such as nursery schools, day care, and recreational activities for their children.

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## Funding Information

| Grant Number | HUD Program | Funding Amount |
|---|---|---|
| | Project Based Vouchers | 30 Vouchers |

**Estimated Total HUD Funded Amount:** 30 Vouchers

**Estimated Total Project Cost** (HUD and non-HUD funds) [24 CFR 58.32(d)]**:** $126,000,000

## Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

| **Compliance Factors**: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6 | Are formal compliance steps or mitigation required? | Compliance determinations |
|---|---|---|
| **STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6** | | |
| **Airport Hazards**<br><br>24 CFR Part 51 Subpart D | Yes ☐ No ☒ | Norman Y. Mineta San Jose International Airport is the nearest airport to the project site, located approximately 4 miles to the southeast. The project site is not within a Federal Aviation Administration (FAA)-designated civilian airport Runway Protection or Accident Potential Zone. In addition, the site is not located in an airport-related building height referral area. Moffett Federal Airfield is located approximately 4 miles northwest of the project site. However, the airfield is no longer operational. Therefore, the proposed project would not result in adverse effects related to airport hazards.<br><br>**Source List:** 2, 3 |
| **Coastal Barrier Resources**<br><br>Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501] | Yes ☐ No ☒ | The Coastal Barrier Resources Act of the United States (CBRA, Public Law 97-348), enacted October 18, 1982, designated various undeveloped coastal barriers, depicted by a set of maps adopted by law, for inclusion in the John H. Chafee Coastal Barrier Resources System (CBRS). Designated areas were made ineligible for direct or indirect federal funding except for limited uses such as national security, navigability, and energy exploration. The Coastal |

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| | | |
|---|---|---|
| | | Barrier Improvement Act of 1990 expanded these areas and added a new category of land called "otherwise protected areas," the majority of which are publicly held for conservation or recreational purposes. CBRS areas extend along the coasts of the Atlantic Ocean and the Gulf of Mexico, Puerto Rico, the US Virgin Islands, and the Great Lakes and consist of 857 units. There are no Coastal Barrier Resources in California.<br><br>**Source List:** 4 |
| **Flood Insurance**<br><br>Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a] | Yes ☐ No ☒ | The project does not involve property acquisition, land management, construction or improvement within a 100-year floodplain (Zones A or V) or 500-year floodplain (Zone B) identified on a Federal Emergency Management Agency Flood Insurance Rate Map (FIRM). The project site is not located in a Flood Zone. The area is a Flood Hazard Area Designation X: Areas of minimal flooding (FIRM Map Number 06085C0226H). Flood Insurance is not required for the project.<br><br>**Source List:** 5 |
| **STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5** | | |
| **Clean Air**<br><br>Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93 | Yes ☐ No ☒ | The federal Clean Air Act (CAA) requires each state to identify areas that have ambient air quality in violation of federal standards. An area's compliance with federal ambient air quality standards is categorized as nonattainment, attainment (better than national standards), unclassifiable, or attainment/cannot be classified. The unclassified designation includes attainment areas that comply with federal standards, as well as areas for which monitoring data are lacking. Unclassified areas are treated as attainment areas for most regulatory purposes. Simple attainment designations generally are used only for areas that transition from nonattainment status to attainment status. Areas that have been reclassified from nonattainment to attainment of federal air quality standards are automatically considered maintenance areas, although this designation is seldom noted in status listings.<br><br>The project is located in the San Francisco Bay Area, which is designated as nonattainment - marginal for the federal 8-hour ozone standard and nonattainment – moderate for particulate matter less than 2.5 microns in diameter ($PM_{2.5}$). The Bay Area is designated as attainment or unclassified for all other federal ambient air quality standards. The Bay Area Air Quality Management District (BAAQMD) is the |

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responsible regional air pollution control agency in the San Francisco Bay Area.

***Construction and Operational Emissions***

The CAA *de minimis* thresholds applicable to the San Francisco Bay Area Basin are 100 tons per year (tpy) of $PM_{2.5}$ and 100 tpy of ozone precursors (nitrogen oxides [$NO_X$] and reactive organic gases [ROG]).

Construction and operational emissions for the proposed project (e.g. mid-rise apartments) were estimated using the California Emissions Estimator Model (CalEEMod) version 2016.3.2. Construction is anticipated to commence in January 2023 and last for approximately 24 months, with full buildout of the project completed by December 24.

Construction of the proposed project was analyzed based on the applicant-provided construction schedule and construction equipment list. Construction phases would include demolition, site preparation, grading, building construction, asphalt paving, and architectural coating. The modeling accounted for compliance with BAAQMD's Basic Construction Mitigation Measures for fugitive dust control Operational emissions modeled include mobile source emissions (i.e., vehicle emissions), energy emissions, and area source emissions. Mobile source emissions are generated by vehicle trips to and from the project site.

The proposed action's estimated emissions for each pollutant are shown in Table 2.

Table 2: **Total Annual Criteria Pollutant Emissions**

| **Estimated Annual Emissions (typ)** | | | |
|---|---|---|---|
| **Scenario** | **ROG** | **$NO_x$** | **$PM_{2.5}$** |
| Construction | 1 | 2 | <1 |
| Operation | 1 | 1 | <1 |
| Total Emissions | 2 | 3 | <1 |
| *De Minimis* Threshold | 100 | 100 | 100 |
| Threshold Exceeded? | No | No | No |

*Source: CalEEMod 2016 Versions 2016.3.2, Annual Emissions, Table 2.1 "Overall Construction-mitigated" and Table "2.2 Overall Operational-mitigated" See Attachment A.*

As illustrated above, development of the proposed project would not generate emissions exceeding CAA conformity thresholds. The effects of the proposed project would not be adverse, and the project would be consistent with the CAA.

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| | | |
|---|---|---|
| | | **Source List:** Attachment A, 6 |
| **Coastal Zone Management**<br><br>Coastal Zone Management Act, sections 307(c) & (d) | Yes ☐ No ☒ | This project is not located within or does not affect a Coastal Zone as defined in the state Coastal Management Plan and does not involve the acquisition of undeveloped land in a Coastal Zone Management area. The project is in compliance with the Coastal Zone Management Act.<br><br>**Source List:**7, 8 |
| **Contamination and Toxic Substances**<br><br>24 CFR Part 50.3(i) & 58.5(i)(2) | Yes ☐ No ☒ | **HAZARDOUS MATERIALS**<br>A Phase I Environmental Site Assessment was prepared for the project site in June 2021 by Langan Engineering and Environmental Services, Inc. (Attachment E). The assessment found that the address associated with the site was listed in 13 databases searched by the Environmental Data Resources, Inc. (EDR). The EDR report contains information from the environmental databases maintained by the United States Environmental Protection Agency (USEPA), state, and local agencies within the approximate minimum search distance. Listings were largely associated with on-site generation of unspecified oil containing waste with storage, bulking and/or transfer off site for disposal. No spills or releases were observed or reported during site reconnaissance.<br><br>The site is erroneously recorded as the site of five underground storage tanks (3 USTs and 2 sumps). Further review by Langan found that these tanks are located on the neighboring property to the west, 1170 Sonora Court. No spills or releases were observed or reported during site reconnaissance.<br><br>Previous reports prepared for the site found three de minimis conditions for the site: a 1983 underground storage tank piping leak at 1170 Sonora Court, volatile organic compounds were detected in groundwater samples in 1983, and a history of agricultural use at the site which suggests potential for organochlorine pesticides. The site was granted closure by the Regional Water Quality Control Board in May 1998 following remediation activities. A database review identified three national priority list sites within a 1-mile radius of the project site. Further investigation concluded that the national priority list sites would be unlikely to impact soil or groundwater resources located on the subject property. In general, de minimis conditions do not pose a risk to human or environmental health, are not vulnerable to enforcement action, and are not recognized environmental conditions (RECs). A limited environmental site characterization (ESC) was conducted by Langan in November 2019. The ESC included exploratory borings and groundwater |

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| | | samples. Soil analytical results indicated no hazardous material was detected at the site in the samples analyzed. In soil vapor, volatile organic compounds were detected above 2019 environmental screening levels, specifically PCE. Therefore, mitigation would be required to reduce adverse impacts and prevent the potential for soil gas volatile organic compounds from migrating to indoor air.<br><br>Neighboring properties that are listed, were closed by the applicable regulatory agency, were hydrologically cross gradient or down gradient, or were determined to be a significant distance from the site and would not result in possible contamination at the site.<br><br>***Mitigation Measures***<br><br>**Vapor Barrier.** Prior to building construction, the project applicant and contractor shall incorporate a vapor barrier membrane such as Tremco Vapor-Lock, ERO E. series products, or CETCO Liquid Boot. The implementation of which would prevent the potential for soil gas VOCs from migrating to indoor air.<br><br>***Regulatory Databases***<br><br>Rincon Consultants also reviewed the Toxic and Hazardous Materials Database (EnviroStor) on May 3, 2021. EnviroStor is available through California's Department of Toxic Substances Control, and combines Federal Superfund, State Response, Voluntary Cleanup, School Cleanup, Evaluation, Tired Permit, and Corrective Action cases into an interactive map interface.<br><br>EnviroStor identified two listed sites within 1,000 feet of the project site. Greystar Sunnyvale, located approximately 770 northwest of the project site, is designated as a voluntary cleanup project with no further action required. Price Club #123, located approximately 880 feet northeast of the project site, is designated as a tiered permit project which is inactive, and requires evaluation. Due to distance, this site is unlikely to affect the project site.<br><br>Rincon Consultants also reviewed the State of California Water Resources Control Board's GeoTracker tool. GeoTracker allows users to search for cases of Leaking Underground Storage Tanks, Spills, Leaks, Investigation and Cleanup (SLIC), Deed Restrictions, Groundwater, and other cleanup cases.<br><br>GeoTracker identified four cleanup sites within a 1,000 feet radius of the project site. San Jose Construction, located approximately 860 feet northeast of the project site, is designated as a completed and closed LUST Cleanup case. KTI Chemicals Inc, approximately 250 feet west of the project site, is designated as a completed and closed Cleanup Program case from the 1990s. Greystar |

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| | | Sunnyvale, located approximately 770 feet northwest of the project site, is designated as an open but inactive Cleanup Program case. This case was transferred to DTSC oversight, and the EnviroStor listing indicates the site has a status of No Further Action since 2018 after having been successfully remediated. 1155 Aster Avenue Development, located approximately 860 feet southwest of the project site, is designated as an open case with ongoing site assessment. Results from a Phase II ESA indicate that contamination is not likely to affect properties adjacent to this site. Although the identified sites are within a 1,000-foot radius of the project site, they are unlikely to affect the project site due to distance and other factors listed above. As such, the project would not result in adverse effects for hazardous material exposure.<br><br>**Source List:** 9, 10, Attachment E |
| **Endangered Species**<br><br>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402 | Yes ☐ No ☒ | According to the United States Fish and Wildlife Service Information for Planning and Consultation tool, the following species are potentially affected by activities in this location: *California Clapper Rail, California Least Tern, California Red-legged frog, California Tiger Salamander, Delta Smelt, and Robust Spineflower.* Several migratory birds could also be near the project location including: *Allen's Hummingbird, Bald Eagle, Common Yellowthroad, Golden Eagle, Lawrence's Goldfinch, Nuttall's Woodpecker, Oak Titmouse, Rufous Hummingbird, Song Sparrow, Spotted Towhee, and Wrentit.* While there are several species that could occur in the area, the project site itself does not contain critical habitat.<br><br>The project activity would occur on an entirely developed and paved site in an urban area and thus, would have no effect on natural habitats or federally protected species. The project site is surrounded by an urban environment and lacks substantial vegetation communities to support special status species known to occur in the general area.<br><br>***Mitigation Measure***<br><br>**Nesting Birds.** If project construction activities occur during the nesting season (between February 1st and August 31st) a qualified biologist shall conduct a pre-construction survey for nesting birds no more than 14 days prior to construction. The survey shall include the entire project site and a 300-foot buffer to account for nesting raptors. If nests are found the qualified biologist shall establish an appropriate species-specific avoidance buffer of sufficient size to prevent disturbance by project activity to the nest (up to 300 feet for raptors, up to 150 feet for all other birds).<br><br>During construction, active nests identified during the preconstruction survey shall be monitored by the |

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| | | qualified biologist to determine if construction activities are causing any disturbance to the bird and shall increase the buffer if it is determined the birds are showing signs of unusual or distressed behavior associated with project activities. Atypical nesting behaviors that may cause nest abandonment include, but are not limited to, defensive flights, vocalizations directed towards project personnel/activities, standing up from a brooding position, and flying away from the nest. The qualified biologist shall have authority, through the construction manager, to order the cessation of all project activities if the nesting birds exhibit atypical behavior that may cause nest failure (nest abandonment and loss of eggs and/or young) until a refined appropriate buffer is established. To prevent encroachment, the established buffer(s) should be clearly marked by high visibility material. The established buffer(s) should remain in effect until the young have fledged or the nest has been abandoned as confirmed by the qualified biologist. The monitoring biologist, in consultation with the resident engineer and project manager shall determine the appropriate protection for active nests on a case by case basis using the criteria described above. The qualified biologist shall prepare a nest monitoring report at the time monitoring has been completed. The report will document the methods and results of the monitoring, and the final status of the nest (i.e., successful fledging of the nest, nest depredation, nest failure due to construction activity).<br><br>**Source List:** 11, 42 |
| **Explosive and Flammable Hazards**<br><br>24 CFR Part 51 Subpart C | Yes ☐ No ☒ | The project involves construction of residential land uses which do not typically use or store large quantities of hazardous materials. The project would not involve the use, storage, transportation, or disposal of hazardous materials, nor is the project site located near thermal source hazards or sites known to contain toxic or radioactive materials.<br><br>No above or below ground storage tanks were identified at the project site during the March 2021 site visit. The project site is located in an area primarily developed with commercial uses, would not be located adjacent to sites known to contain toxic or radioactive materials, and would not be located in close proximity to explosive or thermal source hazards.<br><br>**Source List:** 9, 10 |
| **Farmlands Protection**<br><br>Farmland Protection Policy Act of 1981, particularly sections | Yes ☐ No ☒ | The City of Sunnyvale contains three small parcels of unique farmland, located approximately 1.9 miles away south, 1.9 miles away southwest, and 3.6 miles away northwest of the project site. The project site is located on urbanized land and would not convert or |

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| 1504(b) and 1541; 7 CFR Part 658 | | encroach upon protected farmlands; therefore, the project would not affect farmland.<br><br>**Source List:** 12 |
| **Floodplain Management**<br><br>Executive Order 11988, particularly section 2(a); 24 CFR Part 55 | Yes ☐ No ☒ | The project site is not located in a floodplain. The site is within Flood Hazard Area Designation X: Areas of minimal flooding (FIRM Map Number 06085C0226H). The project would not affect floodplain management.<br><br>**Source List:** 5 |
| **Historic Preservation**<br><br>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800 | Yes ☒ No ☐ | A Section 106 Cultural Resources Technical Study was completed by Rincon Consultants, Inc. in May 2021 (Attachment C). The study was prepared in compliance with Section 106 of the National Historic Preservation Act (NHPA), where the City of Sunnyvale was acting as the Responsible Entity under HUD. The study was prepared to document compliance with Section 106 of the NHPA; it includes the delineation of the Area of Potential Effects (APE), a cultural resources records search, an archaeological and built environment survey of the APE, cultural resource documentation and evaluation, and outreach to local interested parties and Native American tribes. As a result of the study, one historic-period property was recorded and evaluated for listing in the National Register of Historic Places (NRHP). It was found ineligible for NRHP listing and therefore not a historic property for the purposes of Section 106 of the NHPA.<br><br>A search of the Native American Heritage Commission's (NAHC) Sacred Lands File was positive for Sacred Lands in the vicinity of the project site, however a review of previous studies confirmed that no cultural resources were found within the APE. Results of the cultural resources records search also showed that a prehistoric site and prehistoric isolate was within a 0.5-mile radius of the APE. The prehistoric site evaluated within study P-43-000928/CA-SCL-000898H included several segments and features of the Southern Pacific Railroad, and was ultimately recommended ineligible for inclusion in the NRHP. The prehistoric isolate evaluated in study CA-SCL-2-I included a sandstone mortar was found within a highly disturbed setting. The isolate was ultimately not evaluated for historical significance. Therefore, the APE is not considered highly sensitive to containing subsurface archaeological resources.<br><br>Given the general sensitivity of the project area for containing archaeological resources, measures to address potential impacts have been included in this document, including archaeological and Native |

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| | | American monitoring of project-related ground disturbance as well as development of a Worker's Environmental Awareness Program (WEAP) to inform construction crews of the potential cultural resources concerns in the area. Also included are procedures to follow in the event of unanticipated discovery of cultural resources or human remains during project construction. Given required adherence to the mitigation measures below, Rincon has recommended a finding of no historic properties affected under Section 106 of the NHPA for the proposed undertaking. The City of Sunnyvale requested concurrence from SHPO on July 27, 2021. The City of Sunnyvale did not receive any response from SHPO within the 30-day review period, which concludes the consultation period.<br><br>**Mitigation Measures**<br><br>**Worker's Environmental Awareness Program**<br>A qualified archaeologist should be retained to conduct a Worker's Environmental Awareness Program training on archaeological sensitivity for all construction personnel prior to the commencement of any ground-disturbing activities. The training should be conducted by an archaeologist who meets or exceeds the Secretary of Interior's Professional Qualification Standards for archaeology (National Park Service 1983). Archaeological sensitivity training should include a description of the types of cultural material that may be encountered, cultural sensitivity issues, the regulatory environment, and the proper protocol for treatment of the materials in the event of a find.<br><br>**Unanticipated Discovery of Cultural Resources**<br>If archaeological resources are encountered during ground-disturbing activities, work in the immediate area should be halted and an archaeologist meeting the Secretary of the Interior's Professional Qualification Standards for archaeology (National Park Service 1983) should be contacted immediately to evaluate the find. If necessary, the evaluation may require preparation of a treatment plan and archaeological testing for NRHP eligibility. If the discovery proves to be significant and cannot be avoided by the project, additional work, such as data recovery excavation, may be warranted to mitigate any adverse effects to historic properties.<br><br>**Human Remains**<br>The discovery of human remains is always a possibility during ground-disturbing activities. If human remains are found, the State of California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and |

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<td>disposition pursuant to Public Resources Code Section 5097.98. In the event of an unanticipated discovery of human remains, the County Coroner shall be notified immediately. If the human remains are determined to be prehistoric, the Coroner shall notify the NAHC, which will determine and notify a most likely descendant (MLD). The MLD shall complete the inspection of the site and provide recommendations for treatment to the landowner within 48 hours of being granted access.<br><br>Source List: Attachment C</td>
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<td>Noise Abatement and Control<br><br>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</td>
<td>Yes ☒ No ☐</td>
<td>HUD’s environmental noise regulations are set forth in 24 CFR Part 51, Sub-part B. Exterior noise goals from Section 51.101, Policy 8 establish the following Site Acceptability Standards.<br><br>Table 3 Site Acceptability Standards
<table>
<tr><th></th><th>Day-night Average Sound Level</th><th>Special Approvals and Requirements</th></tr>
<tr><td>Acceptable</td><td>Not Exceeding 65 dB[1]</td><td>None.</td></tr>
<tr><td>Normally Acceptable</td><td>Above 65 dB but not exceeding 75 dB</td><td>Special Approvals[2]<br>Environmental Review[3]<br>Attenuation[4]</td></tr>
<tr><td>Unacceptable</td><td>Above 75 dB</td><td>Special Approvals[2]<br>Environmental Review[3]<br>Attenuation[5]</td></tr>
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[1] Acceptable threshold may be shifted to 70 dB in special circumstances pursuant to §51.105(a).<br>
[2] See § 51.104(b) for requirements.<br>
[3] See § 51.104(b) for requirements.<br>
[4] 5 dB additional attenuation required for sites above 65 dB but not exceeding 70 dB and 10 dB additional attenuation required for sites above 70 dB but not exceeding 75 dB. (See § 51.104(a).)<br>
[5] Attenuation measures to be submitted to the Assistant Secretary for CPD for approval on a case-by-case basis.<br><br>Section 51.101, Policy 9 establishes that for HUD projects “the interior auditory environment shall not exceed 45 dB DNL.” Attenuation measures to meet these interior goals shall be employed where feasible. Emphasis shall be given to noise sensitive interior spaces such as bedrooms. It is assumed that with standard construction techniques buildings provide sufficient exterior-to-interior noise attenuation to achieve an interior noise level of 45 dBA DNL or less if the exterior level is 65 dBA DNL or less.<br><br>The property is located at the intersection of Sonora Court and San Zeno Way. The project site’s noise environment is dominated by traffic noise from</td>
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nearby Lawrence Station Caltrain activity and vehicular traffic from Lawrence Expressway. To characterize ambient sound levels at and near the project site, three 15-minute sound level measurements were conducted on March 2, 2021, and one 24-hour measurement was conducted on March 2 and 3, 2021.

**Table 4 Noise Measurement Results**

| ID | Time | Location | $L_{eq}$ (dBA) | $L_{max}$ (dBA) |
|---|---|---|---|---|
| 1 | 10:43 – 10:58 a.m. | East project site boundary; 25 feet from centerline of San Zeno Way | 63 | 77 |
| 2 | 11:01 – 11:16 a.m. | North project site boundary; 25 feet from centerline of Sonora Court | 56 | 70 |
| 3 | 11:18 – 11:33 a.m. | West project site boundary; 100 feet from centerline of Sonora Court | 56 | 74 |
| | | 24-hour Measurement | | |
| LT | 11:53– 11:53 a.m. | Southern portion of project site; adjacent to the Lawrence Caltrain Station | 62 CNEL; Peak hour 70 $L_{eq}$ | |

Caltrain operates 46 northbound and 46 southbound trains per day, which was measured at 71 dBA to 73 dBA at 50 feet from the tracks (City of Sunnyvale, 2016).

Lawrence Expressway is an eight-lane roadway with a posted speed limit of 50 miles per hour (mph). Future noise levels affecting the compatibility of the project site were estimated using the Federal Railroad Administration High Speed Ground Transpiration Manual and FHWA's Traffic Noise Model (TNM) traffic noise-reference levels and algorithms. Train and Traffic noise-model inputs to SoundPLAN include the three- dimensional coordinates of the railways, roadways, noise receivers, and topographic features or planned barriers that would affect noise propagation; vehicle volumes and speeds, by type of vehicle; and absorption factors. For a detailed discussion of modeling methodology refer to Attachment D.

The project's exterior uses include a building courtyard. Exterior noise levels from rail and traffic noise would be 62 dBA DNL at the proposed building courtyard. Therefore, noise levels at exterior use areas would be acceptable.

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| | | Noise levels at building façades would be 70 dBA DNL or less at the majority of building façades. Standard construction techniques for wood-frame construction buildings required under the California Building Code typically achieve a minimum 25-dBA reduction from exterior sources at interior locations when the windows are in a closed position. Therefore, noise levels would at most habitable interior spaces would attenuate to interior noise levels of 45 dBA DNL or less without any noise attenuation measures.<br><br>Noise levels at the eastern façade for the fifth through seventh floors would reach up to 71 dBA DNL. Pursuant to the requirements of the Lawrence Station Area Specific Plan (LSAP) EIR, an analysis of noise attenuation measures will be prepared when building plan details are available. The analysis will demonstrate that interior noise levels will be maintained below 45 dBA DNL and will prescribe window and door stound transmission class (STC) ratings as necessary. Therefore, interior noise levels would meet the HUD interior noise standard of 45 dBA DNL and interior noise exposure would be acceptable.<br><br>**Source List:** 3, Attachment D |
| **Sole Source Aquifers**<br><br>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149 | Yes ☐ No ☒ | The nearest sole source aquifer to the site is the Santa Margarita Aquifer. It is located approximately 16.5 miles southwest of the project site. The project site is not served by a United States Environmental Protection Agency (USEPA)-designated sole-source aquifer. Therefore, the project would have no effect on a sole-source aquifer subject to the HUD-USEPA Memorandum of Understanding (MOU).<br><br>**Source List:** 15, 16 |
| **Wetlands Protection**<br><br>Executive Order 11990, particularly sections 2 and 5 | Yes ☐ No ☒ | There are no wetlands on-site, and the nearest mapped wetland to the site is listed as a freshwater pond located approximately 0.5 miles northwest of the project site. The project site is in a highly urbanized area of Sunnyvale. Because the site does not contain any wetlands, the project would have no effect on a designated wetland or wetland area.<br><br>**Source List:** 16 |
| **Wild and Scenic Rivers**<br><br>Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c) | Yes ☐ No ☒ | The nearest wild and scenic river to the site is the American River (Lower) located approximately 94 miles northeast of the project site. Since the project would not affect a wild and scenic river, the project would be consistent with the Wild and Scenic Rivers Act policies. |

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| | | **Source List:** 17, 18 |
| **ENVIRONMENTAL JUSTICE** | | |
| **Environmental Justice**<br><br>Executive Order 12898 | Yes ☐ No ☒ | In 2020 the City of Sunnyvale had a total population of 30,370. Of this population, 51 percent was white, 11 percent was Black or African American, 16 percent was Asian, 13 percent was Hispanic or Latino, 0 percent was American Indian and Alaska Native, and 1 percent was Native Hawaiian and Other Pacific Islander. Two Or More Races were reported at 7 percent.<br><br>Areas surrounding the project site to the north, west, and southeast contain minority populations of approximately 80 percent of the total population. The project would serve low-income communities, and has no potential for new or continued disproportionately high and adverse human health and environmental effects on minority or low-income populations. The proposed project would provide housing for low-income populations in the City. The project site is suitable for the proposed use. Additionally, mitigation measures are provided under the subheading *Mitigation Measures and Conditions* that would reduce identified environmental impacts.<br><br>**Source List:** 19, 20 |

**Environmental Assessment Factors** [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features, and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable, and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

**Impact Codes**: Use an impact code from the following list to make the determination of impact for each factor.

**(1)** Minor beneficial impact
**(2)** No impact anticipated
**(3)** Minor Adverse Impact – May require mitigation
**(4)** Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

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| Environmental Assessment Factor | Impact Code | Impact Evaluation |
|---|---|---|
| **LAND DEVELOPMENT** | | |
| Conformance with Plans/Compatible Land Use and Zoning /Scale and Urban Design | 2 | The project site is located within an urbanized area of the City of Sunnyvale and is surrounded by mostly commercial uses. The project site is located in the southeastern corner of Sonora Court and San Zeno Way in eastern Sunnyvale. The project site is surrounded by Transit Mixed Use (TMU) land uses per the City's General Plan. The site is bounded by Lawrence Station Flexible Mixed-Use 1 (MXD-1) uses to the north, east, south, and west. Additionally, the project site itself is zoned as MXD-1, with a General Plan land use of Transit Mixed Use.<br><br>The Sunnyvale General Plan has a number of policies that are applicable to the project; a discussion of project consistency with selected policies follows.<br><br>*General Plan Policies*<br><br>**Policy HE-1.1.** Encourage diversity in the type, size, price and tenure of residential development in Sunnyvale, including single-family homes, townhomes, apartments, mixed-use housing, transit-oriented development and live-work housing.<br><br>*Consistent.* The project would introduce affordable apartment units in a mixed-use area near a major transit operation, the Lawrence Station.<br><br>**Policy HE-6.6.** Encourage use of sustainable and green building design in new and existing housing.<br><br>*Consistent.* The project would be in compliance with Title 24, and would therefore meet regulatory requirements for green building design features.<br><br>**Policy LT-1.2a.** Promote transit-oriented and mixed-use development near transit centers such as Lawrence Station, Downtown, and El Camino Real and in neighborhood villages.<br><br>*Consistent.* Construction of the project would occur adjacent to Lawrence Station.<br><br>**Policy LT-1.6b.** Support regional efforts which promote higher densities near major transit and travel facilities.<br><br>*Consistent.* Construction of the project would increase density by replacing a commercial building with housing.<br><br>**Policy LT-1.7.** Emphasize efforts to reduce regional vehicle miles traveled by supporting active modes of transportation including walking, biking, and public transit.<br><br>*Consistent.* The project is abuts the Lawrence Station, and is situated near four bus stops within 0.5 mile of the project site. The project site will also have bicycle parking, allowing for residents to make use of biking as a mode of transportation.<br><br>**Policy LT-4.3.** Enforce local design guidelines that ensure buildings and monuments respect the character, scale, and context of the surrounding area. |

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| | | *Consistent.* Section 19.35.060(b) of the Sunnyvale Municipal Code states that residential units within the Lawrence Station Area Specific Plan District, which encompasses a 0.5-mile radius around Lawrence Station, must not exceed 85 feet in height. The project would be 75 feet in height.<br><br>*Conclusions*<br>In addition to the policies outlined above, the project is consistent with the general criteria laid out within the City's Land Use and Transportation Element. Specifically, that "development of a transit village near the Caltrain Lawrence Station" be prioritized over the General Plan's 2035 year horizon. The project is generally consistent with applicable comprehensive plans and zoning regulations for the reasons given above.<br><br>**Source List:** 21, 22 |
| Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff | 2 | The project site is entirely comprised of urbanized land, according to the California Department of Conservation. The site is covered in asphalt paving and does not have any substantial slopes, and as a result is not subject to landslides or erosion. Although soils adjacent to the project site have proven sufficiently stable to support existing urban development, the project site is within a liquefaction zone. All new development is required to comply with the current adopted California Building Code (adopted by reference into the City of Sunnyvale Municipal Code in Section 16.16.020), which includes design criteria for seismic loading and other geologic hazards relating to seismicity, such as liquefaction, including design criteria for geologically induced loading that govern sizing of structural members and provide calculation methods to assist in the design process. The City also requires preparation of geotechnical reports for all development projects (Sunnyvale 2011). These geotechnical reports would include soil sampling and laboratory testing to determine the soil's susceptibility to expansion and differential settlement and would provide recommendations for design and construction methods to reduce potential impacts, as necessary.<br><br>Furthermore, the CBC includes common engineering practices that would require special design and construction methods that reduce potential expansive soil and settlement-related impacts. Adherence to the City's Municipal Code and the CBC would reduce potential adverse impacts associated with development on unstable soils.<br><br>The property as it is now is not subject to erosion, as it is fully paved and/or built upon; however, erosion may occur during construction. The project would be required to be in conformance with the provisions of the applicable federal, state, county, and City of Sunnyvale laws and ordinances which incorporates and implements the City's National Pollutant Discharge Elimination System (NPDES) permit and best management practices to reduce stormwater runoff.<br><br>Adequate control of sedimentation and erosion must be incorporated into the project to address current legal requirements related to erosion control practices, including the use of standard soil erosion control measures during demolition and construction would minimize potentially adverse effects from erosion. |

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| | | The proposed project would not have potential hazards related to slope failure, as the site and surroundings are generally level, and would not create new slopes. Furthermore, the site is not in an erosion-sensitive area (near water, drainage feature, or on a steep slope). The project site would continue to be covered with impervious surfaces. During construction and operation of the proposed residential uses, the project sponsor would be required to comply with all applicable federal and local water quality and wastewater discharge requirements that include compliance with the City's NPDES permit and best management practices to reduce stormwater runoff.<br><br>***Site Safety***<br>The project would include the construction and operation of parking on the project site. Vehicle access to the site would be via an existing driveway. Therefore, the project would not introduce new hazards or nuisances related to site circulation as it would not substantially change ingress and egress for vehicles. On-site circulation would be limited to the parking garage for residents and employees only.<br><br>**Source List:** 22, 23 |
| Hazards and Nuisances including Site Safety and Noise | 2 | ***Hazards***<br>As detailed in sections "Explosive and Flammable Hazards" and "Contamination and Toxic Substances," the project would not create a risk of explosion, release of hazardous substances or other dangers to public health. Although the project site is located near hazardous operations, the operations are either closed or inactive. Based on the March 2021 site visit conducted by Rincon Consultants, Inc., there are no Above Ground Storage Tanks on the project site. The project would provide a safe place for residents.<br>***Geology and Seismicity***<br>The project site does not have significant slopes and is not subject to landslides or erosion. However, the site is located entirely within a liquefaction zone. Given the site's location, adherence to Sunnyvale Municipal Code Section 16.16.020 and CBC development regulations, impacts related to liquefaction and expansive soils would be reduced.<br>The project site is located in the San Francisco Bay Area, which is considered one of the most seismically active regions in the United States. Significant earthquakes have occurred in the San Francisco Bay Area and are believed to be associated with crustal movements along a system of subparallel fault zones that generally trend in a northwesterly direction. The site is located approximately 9 miles southeast of the Hayward fault zone, and approximately 10 miles northwest of the San Andreas fault zone. Earthquake intensities will vary throughout the Bay Area, depending upon the magnitude of earthquake, the distance of the site from the causative fault, and the type of materials underlying the site. The site will probably be subjected to at least one moderate to severe earthquake that will cause strong ground shaking. Compliance with the requirements of the latest California Building Code, which includes earthquake standards, fire codes, and regulations would ensure adverse effects from earthquakes on the project are minimized. |

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***Site Safety***

The project would include the construction and operation of parking on the project site. Vehicle access to the site would be via an existing driveway. Therefore, the project would not introduce new hazards or nuisances related to site circulation as it would not substantially change ingress and egress for vehicles. On-site circulation would be limited to the parking garage for residents and employees only.

***Vibration***

Groundborne vibration of concern in environmental analysis consists of the oscillatory waves that move from a source through the ground to adjacent buildings or structures and vibration energy may propagate through the buildings or structures. Vibration may be felt, may manifest as an audible low-frequency rumbling noise (referred to as groundborne noise), and may cause windows, items on shelves, and pictures on walls to rattle. Although groundborne vibration is sometimes noticeable in outdoor environments, it is almost never annoying to people who are outdoors. The primary concern from vibration is that it can be intrusive and annoying to building occupants at vibration-sensitive land uses and may cause structural damage.

Typically, ground-borne vibration generated by manmade activities attenuates rapidly as distance from the source of the vibration increases. Vibration amplitudes are usually expressed in peak particle velocity (PPV) or root mean squared (RMS) vibration velocity. The PPV and RMS velocity are normally described in inches per second (in/sec). PPV is defined as the maximum instantaneous positive or negative peak of a vibration signal. PPV is often used as it corresponds to the stresses that are experienced by buildings (Caltrans 2020).

The project site is adjacent to the Caltrain right-of-way and the Lawrence Station. A vibration analysis was conducted by Wilson Ihrig in April 2021 (Attachment B). The Federal Transit Administration (FTA) assessment criteria for evaluating vibration impacts associated with transit projects, as well as the ANSI Standard S2.71 – 1938 (R2006) were used as applicable criteria for the project. The rail line accommodates approximately 70 commuter trains and 1 freight train per day and therefore would be considered a frequent event. The project would be residential (i.e. FTA Category 2 land use). Therefore, the applicable impact level for frequent vibration events at a Category 2 land use of 72 VdB would apply.

The Wilson Ihrig vibration survey included two long-term measurements taken continuously between Friday, March 12$^{th}$ and Wednesday, March 17$^{th}$, 2021. The first measurements was taken at the project site's southern property line (nearest property line to railway), approximately 80 feet from the track. The second measurement was taken on the project site, approximately 140 feet from the track. Based on vibration measurements, average at-grade groundborne vibration levels during train passes are anticipated to reach 78 VdB at the southern property line and 72 VdB at the southernmost proposed building. The proposed structure would attenuate vibration levels by approximately 5 VdB between the ground and the lowest residences (third floor). Even when accounting for potential variation in vibration levels due to differences train speeds and wheel conditions, vibration levels at proposed residential

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uses would not be anticipated exceed the applicable impact levels for the vast majority (98 percent) of train passes. Therefore vibration levels would not result in significant adverse impacts.

***Screening Level Health Risk Analysis***

Toxic Air Contaminants (TACs) are a broad class of compounds known to cause morbidity or mortality (usually because they cause cancer) and include but are not limited to criteria air pollutants, such as $PM_{2.5}$. Local community risk and hazard impacts are associated with TACs and $PM_{2.5}$ because emissions of these pollutants can have adverse health impacts at the local level. TACs are typically found in low concentrations, even near their source. Because chronic exposure can result in adverse health effects, TACs are regulated at the regional, State, and federal level. Potential sources of TACs near the project site include freeways or urban roadways and stationary sources.

*Thresholds*

In the absence of a qualified Community Risk Reduction Plan, BAAQMD has established the following *Thresholds of Significance* for local community risks and hazards associated with TACs and $PM_{2.5}$ for assessing individual source impacts at a local level. Impacts would be in exceedance if:

- The project would result in an increased cancer risk of > 10 in one-millions
- The project would result in an increased non-cancer (i.e., Chronic or Acute) risk of > 1.0 Hazard Index
- The project would result in an ambient $PM_{2.5}$ concentration increase of > 0.3 $\mu g/m^3$ annual average

A project would be considered to have a cumulatively considerable impact if the aggregate total of current and proposed TAC sources within a 1,000 feet radius of the project fence-line in addition to the project would exceed the *Cumulative Thresholds of Significance*. Thresholds would be exceeded if:

- The project would result in an increased cancer risk of > 100 in one million
- The project would result in an increased non-cancer (i.e., Chronic or Acute) risk of > 10 Hazard Index
- The project would result in an ambient $PM_{2.5}$ concentration increase of > 0.8 $\mu g/m^3$ annual average

Excess cancer risks are defined as those occurring in excess of or above and beyond those risks that would normally be associated with a location or activity if toxic pollutants were not present. Non-carcinogenic health effects are expressed as a hazard index, which is the ratio of expected exposure levels to an acceptable reference exposure level.

*Construction*

Construction-related activities would result in temporary project-generated emissions of DPM exhaust emissions from off-road, heavy-duty diesel equipment for site preparation, grading, building

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| | | construction, and other construction activities. DPM was identified as a TAC by CARB in 1998 (CARB 2017).<br><br>Generation of DPM from construction projects typically occurs in a single area for a short period. Construction of the proposed project would occur over approximately 22 months. The dose to which the receptors are exposed is the primary factor used to determine health risk. Dose is a function of the concentration of a substance or substances in the environment and the extent of exposure that person has with the substance. Dose is positively correlated with time, meaning that a longer exposure period would result in a higher exposure level for the Maximally Exposed Individual. The risks estimated for a Maximally Exposed Individual are higher if a fixed exposure occurs over a longer period of time. According to the Office of Environmental Health Hazard Assessment, health risk assessments, which determine the exposure of sensitive receptors to toxic emissions, should be based on a 70-year exposure period; however, such assessments should be limited to the period/duration of activities associated with the project. Thus, the duration of proposed construction activities (i.e., 22 months) is approximately 3 percent of the total exposure period used for health risk calculation. Current models and methodologies for conducting health-risk assessments are associated with longer-term exposure periods of 9, 30, and 70 years, which do not correlate well with the temporary and highly variable nature of construction activities, resulting in difficulties in producing accurate estimates of health risk (BAAQMD 2017). Therefore, this analysis qualitatively discusses potential health risks associated with construction-related emissions of TACs, focusing on construction activities most likely to generate substantial TAC emissions and the duration of such activities relative to established, longer-term health risk exposure periods.<br><br>The maximum $PM_{10}$ and $PM_{2.5}$ emissions would occur during demolition and site preparation activities. These activities would last for approximately one month. PM emissions would decrease for the remaining construction period because construction activities such as building construction and architectural coating would require less construction equipment. While the maximum DPM emissions associated with demolition and site preparation would only occur for a portion of the overall construction period, these activities represent the maximum exposure condition for the total construction period. The duration of site preparation and grading activities would represent less than one percent of the total exposure period for a 70-year health risk calculation.[1] Therefore, DPM generated by project construction would not create conditions where the probability is greater than 10 in one million of contracting cancer for the Maximally Exposed Individual or to generate ground-level concentrations of non-carcinogenic TACs that exceed a Hazard Index greater than one for the Maximally Exposed Individual. Therefore, TAC generated from construction activities would not exceed the BAAQMD risk thresholds.<br><br>*Operation*<br><br>Sources of TACs include, but are not limited to, land uses such as freeways and high-volume roadways, truck distribution centers, ports, rail yards, refineries, chrome plating facilities, dry cleaners using perchloroethylene, and gasoline dispensing facilities. The project does not include construction of new gas stations, dry cleaners, highways, |

[1] (1 months / [12 months x 70 years]) x 100 = 0.24 percent

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| | | roadways, or other sources that could be considered new permitted or non-permitted source of TAC or $PM_{2.5}$ in proximity to receptors. In addition, the project would not introduce a new stationary source of emissions. Furthermore, as a residential development, the project would not be a major source of mobile TACs since the project would generate approximately 957 generate weekday trips from primarily gasoline-fueled passenger vehicles. The BAAQMD considers roadways with over 10,000 vehicles per day to be a potential major source of TAC and $PM_{2.5}$ (BAAQMD 2012). Therefore, the project's operational activity would not expose sensitive receptors to substantial TAC emissions.<br><br>However, per Impact 3.5.6 of the LSAP EIR, future developments that include sensitive receptors may site these receptors in proximity to existing sources of TACs. As required under this impact, a project site-specific health risk analysis was conducted since this project would introduce new sensitive receptors to the area and is within 1,000 feet of Caltrain, major roadways, and stationary sources. This analysis was conducted following procedures outlined by BAAQMD.<br><br>There are six permitted emission sources identified within 1,000 feet of the project's fence line using BAAQMD's *Permitted Stationary Source Risk and Hazards* mapping tool. However, after further review with BAAQMD, only one source is located within 1,000 feet to the project. The Costco Wholesale (Source #109899) is located at 150 Lawrence Station Road, which is approximately 400 feet east of the project site's eastern boundary. The facility operates a gas station with a screening cancer risk of 161.38 per million, a hazard index value of 0.71, and no $PM_{2.5}$ concentration.<br><br>Other sources within 1,000 feet of the project fence line include Lawrence Expressway, a major roadway with more than 10,000 average daily trips (ADT) and the Caltrain rail line. The Caltrain rail line is approximately 75 feet south of the project. Lawrence Expressway is an eight-lane expressway running north and south and is approximately 155 feet east of the project. The approximate ADT on this roadway is 70,880 based on background volumes at the intersection of Kifer Road and Lawrence Expressway. Pursuant to the requirements of the 2019 California Energy Code (Title 24, Part 6), new high-rise residential (defined as four or more habitable stories) construction is required to install Minimum Efficiency Reporting Value (MERV) 13 or equivalent filters for heating and cooling ventilation systems. The risks and hazards from the stationary and mobile TAC sources were adjusted to account for the inclusion of MERV 13 filtration. In the adjusted risk and hazard calculations, it was assumed that residents would spend approximately 16.4 hours per day indoors and 2.1 hours per day outdoors. MERV-13 filtration was assumed to have a 90 percent particulate filtration efficiency (Attachment A).<br><br>*Health Risk Screening*<br><br>For the Costco gas station source, BAAQMD provided the average daily emissions for the gas station, which were then inputted into the BAAQMD *Risk and Hazards Emissions Screening Calculator*. The BAAQMD *Gasoline Dispensing Facility Distance Multiplier* adjustment for a distance of approximately 400 feet was applied in the calculator. Table 5 reports the adjusted screening risk and hazards for the Costco gas station. |

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For screening the mobile TAC sources, the health risks from the LSAP EIR for the Caltrain rail line and Lawrence Expressway were used. The LSAP EIR identified cancer risk, $PM_{2.5}$ concentration, and non-cancer hazard index exposure from segments of railway and Lawrence Expressway that travel through the plan area. The health risks for from Western Segment Link 365, which is in between North Wolfe Road and Lawrence Expressway, were used for Caltrain at a distance of 75 feet north. Note that these health risks do not account for the Caltrain Modernization program, which would electrify Caltrain and is currently under construction. The health risks values west of the Lawrence Expressway (between Kifer Road to Reed Avenue) were used for this major roadway. The distance between the project site and Lawrence Expressway is approximately 155 feet. The health risks at this distance were linearly interpolated using the reported health risks at 100 and 200 feet.

As shown in Table 5, TAC emissions from the Costco Gas Station, Caltrain rail line, and Lawrence Expressway would be below the BAAQMD single-source thresholds for cancer risk, $PM_{2.5}$ concentration, and non-cancer hazard index. Therefore, impacts to future residents from these TAC sources would not cause an exceedance. Table 5 also presents the sum of the screening data for all emission sources within 1,000 feet of the project's fence-line and represents the potential cumulative impact on future residents. All combined risks and hazards are below the BAAQMD cumulative thresholds for health risks.

**Table 5 Individual and Cumulative Cancer Risk and Particulate Matter Concentrations**

| Source ID[1] | Description | Distance to Project Site (feet) | Cancer Risk (Per Million) | $PM_{2.5}$ Concentration (µg/m3) | Increased Non-Cancer Risk (Chronic Hazard Index) |
|---|---|---|---|---|---|
| N/A | Caltrain – Railroad[2] | 75 | 5 | 0.01 | <0.01 |
| N/A | Lawrence Expressway – Major Roadways | 155 | 2 | 0.05 | N/A |
| 109899 | Costco Gas Station | 400 | <1 | 0 | <0.01 |
| Combined Total | | | 8 | 0.06 | <0.01 |
| BAAQMD Individual Source Screening Threshold | | | 10 | 0.3 | 1 |
| Individual Source Threshold Exceeded? | | | No | No | No |
| BAAQMD Cumulative Screening Threshold | | | 100 | 0.8 | 10 |
| Cumulative Threshold Exceeded? | | | No | No | No |

[1]Source IDs presented here are those used in the Stationary Source Screening Analysis Tool.

[2]The Caltrain health risks reported do not include the reduction effects from electrification of the rail line. However, these risks would be reduced over time as Caltrain electrifies more of their fleet. Ful electrification is expected to occur by 2040.

N/A: not applicable; data was not provided in the LSAP Final EIR

Source: Attachment A

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| | | **Source List:** Attachment A, Attachment B, 6<br><br>***Odors***<br>Objectionable odors are typically associated with industrial uses such as agricultural facilities (e.g., farms and dairies), refineries, wastewater treatment facilities, and landfills. In urban areas, this may also include facilities with a high volume of diesel-fueled vehicles, such as bus depots. The project site is not located near a facility expected to result in nuisance odors, including diesel exhaust odors. In addition, proposed residential and commercial uses on-site would not be expected to generate objectionable odors that would affect a substantial number of people.<br>**Source List:** 13 |
| Energy Consumption | 2 | The new development would not represent a wasteful use of energy, although the project does represent additional energy usage over current conditions. The project would utilize building materials that would be required to meet or exceed the standards set forth by the California Energy Commission in Title 24, Part 6 of the California Code Regulations. Therefore, the proposed uses would not result in foreseeable energy inefficiencies and would not have a substantial adverse effect on energy consumption.<br><br>**Source List:** 24 |

| Environmental Assessment Factor | Impact Code | Impact Evaluation |
|---|---|---|
| **SOCIOECONOMIC** | | |
| Employment and Income Patterns | 1 | No adverse effect is expected as a result of the project, as the project would provide affordable housing for at most 468[1] persons, which would account for approximately 0.3% of Sunnyvale's estimated population of 156,503[2]. This would not substantially affect employment and income patterns. The project is located next to commercial areas and a major highway (U.S. Highway 101), which would allow residents to commute to jobs in surrounding towns and cities if needed. The project would not result in adverse effects to employment and income patterns.<br>[1] Calculation: The number of dwelling units multiplied by average Sunnyvale household size of 2.69. Source: 1<br>[2] Population estimate comes from DOF recorded population in January 2020. Source: 1 |
| Demographic Character Changes, Displacement | 1 | The proposed project would involve the construction of 176 residential units on the project site. Based on average household size for the City of Sunnyvale of 2.69 persons per household, this would represent an estimated 468 residents. The DOF recorded a population of 156,503 in January 2020 for the City of Sunnyvale. The project would represent a net increase of approximately 0.3 percent to the population under the assumption that it would introduce the maximum 468 residents to the project site. However, existing low-income residents within the City would likely relocate to the project, and thus the net increase would likely be lower. Therefore, the project would not substantially change area demographics and the project would not induce growth. |

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| | | The Uniform Relocation Act establishes minimum standards for federally-funded programs and projects that require the acquisition of real property (real estate) or displace persons from their homes, businesses, or farms. The Uniform Relocation Act's protections and assistance apply to the acquisition, rehabilitation, or demolition of real property for federal or federally-funded projects. The project site is currently an operational manufacturing business with a parking lot, and would need to be relocated. However, the business owner and tenant have sold the property and documented the intention to move out of the space. As of the date of this document, the occupant has since moved out of the space. Thus, the project, is not subject to the Uniform Relocation Act.<br><br>**Source List:** 1 |

| Environmental Assessment Factor | Impact Code | Impact Evaluation |
|---|---|---|
| **COMMUNITY FACILITIES AND SERVICES** | | |
| Educational and Cultural Facilities | 2 | The Sunnyvale School District and Fremont Union High School District provides public education in the City of Sunnyvale, including the project site. Sunnyvale School District is comprised of eight elementary schools, and two middle schools, while Fremont Union High School District is comprised of five high schools, and one adult school. The project site would be served by San Miguel Elementary School, Columbia Middle School, and Fremont High School.<br><br>Development on site could add up to 468 residents (as described under subheading *Socioeconomic, Demographic Character Changes*). Consistent with the County of Santa Clara's K-12 population percentage of approximately 24[1] percent, the proposed project would result in the addition of approximately 112[2] K-12 aged residents. This increase would not be expected to result in substantial adverse effects on local schools relative to existing overall enrollment. However, in a memo to the Sunnyvale School District, which encompasses Fremont Union High School District as well, Schoolhouse Services states that although the school district is over capacity, aging school infrastructure is a higher concern. Consequently, the Board of Education for Sunnyvale School District approved Resolution No. 20-15 in April 2020. Resolution No. 20-15 allows for the maximum increase of statutory school fees. The applicant would be required to pay applicable school impact mitigation fees, which would ensure that the effects of the project on schools is not adverse.<br><br>Many cultural facilities are located within walking distance of the project site or accessible from the project site via public transportation and would be available to future project residents. Cultural facilities in the vicinity of the project include the Sunnyvale Community Center located 1.8 miles southwest of the site; Columbia Neighborhood Center located 2.0 miles northwest of the site; Gateway Neighborhood Center located approximately 2.3 miles northwest of the site; Sri Kamakshi Community Center located approximately 1.7 miles east of the project site; and the Eritrean Community Center of Santa Clara County located approximately 2.8 miles southeast of the project site. |

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| | | [1] K-12 student population calculated as the population of Santa Clara County residents under the age of 18 (480,451) divided by the County of Santa Clara population (1,961,969) x 100 = 24%<br>[2] 468 x 24% = 112.32<br>**Source List:** 25, 26, 27, 28 |
| Commercial Facilities | 2 | The project site is located primarily within an industrial area, with intermittent commercial businesses in the vicinity, and a heavily residential area to the south. There are several cafés and restaurant options in the project vicinity. Within 0.5-mile from the site, there are the following restaurant options. The Yellow Chilli, California Pizza Kitchen, Texas Instruments Café, and Vito's Famous Pizza. Food can also be purchased at the Costco Food Court, approximately 750 feet northeast. Clothes and groceries can also be purchased at Costco. Additional grocery stores include Bharat Bazar located 0.3 mile south of the site. Therefore, commercial facilities are widely available within walking distance to the site, and can also be accessed by bicycle or transit options.<br>**Source List:** 29, 30, 31 |
| Health Care and Social Services | 2 | There are a total of eight hospitals and medical care facilities within a five-mile radius of the project site. The major hospitals offering emergency room services are Kaiser Permanente Santa Clara Medical Center and El Camino Hospital Mountain View, approximately 2.5 miles south and 4.5 miles west of the project site, respectively. Nearest to the project site is Valley Health Center Sunnyvale located 1.5 miles southwest of the project site. Medical clinics in the project vicinity include Sutter Health Hospital, Sutter Health Pediatrics, Sunnyvale Physical Therapy, and U.S. HealthWorks Medical Group. Because medical facilities are located in the vicinity of the project site, adequate health services are present in the area.<br>The project site is within the 2 miles of multiple social services operations, including Sunnyvale Community Services (1 mile northwest of the project site), YWCA Golden Gate Silicon Valley (2 miles west of the project site), and Society of St. Vincent De Paul – St. Martin Conference (2 miles southwest of the project site).<br>**Source List:** 32, 33, 34 |
| Solid Waste Disposal / Recycling | 2 | Refuse collection service would be provided to the project site by the Specialty Solid Waste & Recycling. Refuse, construction and demolition debris, yard waste and recyclables are accepted by Specialty Solid Waste & Recycling and sent to the local transfer station, the Sunnyvale SMaRT Station. Adequate trash facilities would be provided by the project to accommodate waste generated by the project, as shown on the site plan. Solid waste collection service is already provided to adjacent properties, and the project would not represent a substantial increase in demand for solid waste disposal service in the City. The attached Table 6 provides the solid waste generation estimates for the project.<br>**Table 6. Solid Waste Generation for the Family Housing Project**<br>**Land Use** / **Project Units** / **Solid Waste Generation Rate** / **Estimated Waste** |

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| | | | | Generation (lb/day) |
|---|---|---|---|---|
| Residential | 176 units | 5.3[1] | lb/unit/day | 933 |
| **Total Solid Waste Generation** | | | | **933** |

lb = pounds; sf = square feet

1 – Generation rates used are reflective of the January 1996 Multifamily generation rate.

2 –This estimate is conservative.

The highest daily tonnage accepted at the Sunnyvale SMaRT Station in 2018 was 259,609 tons, which was then transferred to the Kirby Canyon Landfill. The highest daily tonnage of municipal solid waste disposed at Kirby Canyon Landfill by the City of Sunnyvale in 2018 was 81,511 tons, and the maximum permitted daily tonnage is 2,600 tons per day. The proposed project would generate approximately 933 pounds per day, or approximately 0.5 tons per day of solid waste, which is less than 0.1 percent of the permitted daily tonnage for the Kirby Canyon Landfill.

In addition, the City of Sunnyvale currently diverts solid waste by providing recycling and composting services. The project site would include facilities for recycling and composting service. Therefore, sufficient solid waste services are available in the vicinity of the site.

**Source List:** 35, 36, 37

| | | |
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| Waste Water / Sanitary Sewers | 2 | |

The City of Sunnyvale provides wastewater collection and conveyance services to City customers. The sewer system consists of approximately 295 miles of gravity sewers, 106,648 feet of force main, 7,133 manholes, and 5 pump stations. The City of Sunnyvale provides service to lower laterals located within the public right-of-way on a discretionary basis. The lower lateral is the sewer lateral from the sewer main in the street to the cleanout normally located behind the street curb. The maintenance, repair, or replacement of the upper sewer lateral from the cleanout to the private property dwelling is the responsibility of the property owner.

The project site is currently connected to the City's sanitary sewer system. The City's sanitary sewer lines feed into the Donald M. Somers Water Pollution Control Plant (WPCP) wastewater treatment plant operated by the City. Collected wastewater is treated to tertiary standards before it is discharged to the Lower South Bay subembayment of the San Francisco Bay. The WPCP has a permitted dry weather flow capacity of 29.5 million gallons per day (MGD) with a 40 MGD peak wet weather flow capacity. On average, the WPCP treats 15 MGD of wastewater. The attached Table 7 provides the wastewater generation estimate for the proposed project.

**Table 7. Wastewater Generation for the Proposed Project**

| Land Use | Project Units | Wastewater Generation Rate | | Estimated Wastewater Generation (gpd) |
|---|---|---|---|---|
| **Residential[1]** | **176 units** | **120** | **gpd/unit** | **21,120** |
| Total Wastewater Generation | | | | 21,120 |

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| | | gpd = gallons per day; sf = square feet<br>Source Document: 38<br><br>At an estimated 21,120 gallons per day and the WPCP's remaining capacity of 14.5 MGD per day, the project would comprise less than 0.1 percent of the remaining daily capacity of the WPCP wastewater treatment plant. Therefore, the wastewater generated under the project would be within WPCP's wastewater treatment plant's capacity. As there is existing wastewater (sewer) service available to serve the site, project effects would not be adverse.<br><br>**Source List:** 38, 39 |
| Water Supply | 2 | The City of Sunnyvale provides municipal water supply to the city. The City of Sunnyvale currently obtains its water supply from the San Francisco Public Utilities Commission (SFPUC) and Valley Water. In addition, the City of Sunnyvale operates six active wells and one well on stand-by for emergencies. Additional water is generated from the recycled water treated by the WPCP.<br><br>The City of Sunnyvale's 2020 Urban Water Management Plan found that, in the event of a five-year drought, the water supply would be sufficient to meet demand in future years. However, in compliance with requirements for UWMP development, the City of Sunnyvale developed and adopted a Water Shortage Contingency Plan in the event of water scarcity.<br><br>The project would reduce water use relative to standard building practices by complying with Title 24 requirements. These water conservation measures would reduce the project's burden on municipal water supply and wastewater systems. Water demand is assumed to be 120 percent of the wastewater generation, which accounts for evaporation and other system water losses. Therefore, given the total wastewater generation for the proposed project of 21,120 gpd, water demand for the proposed project would be approximately 25,344 gpd. The 2020 UWMP projected potable water use through the year 2040. In 2040, total potable water use would be approximately 24,386 acre-feet per year. Of the projected 2040 potable water use, the project would require approximately 0.03 million gallons or less than 0.01 percent of the project potable water use in 2040. Therefore, the City's existing water entitlements would be sufficient to serve the proposed project, and the construction of new water treatment facilities or the expansion of existing facilities would not be required.<br><br>**Source List:** 39 |
| Public Safety - Police, Fire, and Emergency Medical | 2 | POLICE SERVICES<br><br>The Sunnyvale Police Department includes two patrol teams led by a Captain. Within the patrol teams, there are five patrol squads that are each supervised by a lieutenant. The number of officers at a given time is dependent upon the time of day a given shift covers. The addition of 176 residential units is not anticipated to cause the hiring or new sworn officers or the necessity for infrastructure such as new Police Station, and the site is within the incorporated City boundaries and therefore within the Sunnyvale Police Department service boundaries. Project impacts related to police protection services would not be adverse, and the project site would be sufficiently served by existing BPD services. |

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| | | **Source List:** 1<br><br>FIRE SERVICES<br>The Sunnyvale Fire Department has mutual aid agreements with Santa Clara County Fire, San Jose Fire, Mountain View Fire, and Santa Clara (City) Fire. The Sunnyvale Department of Public Safety Fire Services Bureau (Fire Services Bureau) is an All Hazard/Full Service Department that provides fire protection and emergency medical services for the project site. Santa Clara City Fire Department Station No. 9 is located on Corvin Drive, approximately 0.6 mile northeast of the site, and would provide direct fire protection service to the proposed project. The Fire Department also would review the building permit for the project for conformance with the California Fire Code, and applicable sections of the California Health and Safety Code, California Administrative Codes, Title 19 Public Safety, and Title 24 Building Standards, to assure installation of adequate fire sprinklers, fire wall protection, fire hydrants, smoke detectors, and other similar fire prevention measures.<br>While the Fire Department could receive a slight increase in calls for fire and emergency medical services as a result of the project, the project would have a minimum impact on these services at an individual level; additionally, the project site is located within the incorporated boundaries of the City, and therefore within the service area of the Sunnyvale Fire Department. The Fire Department has adequate fire protection and emergency medical services to serve the project site, without the need for new or physically altered facilities or significant staff increases.<br>Since the project would be required to comply with the Fire Code and other applicable fire protection regulations, the project would not result in adverse impacts on fire protection. As the project site is within an existing service area, proposed residents would be adequately served by existing first-responder/paramedic services.<br><br>**Source List:** 40, 21 |
| Parks, Open Space and Recreation | 2 | There are several parks within the project vicinity. Bracher Park is located approximately 1.2 miles east of the site; Machado Park is located approximately 0.9 miles south of the site; and Ponderosa Park is located approximately 0.8 mile southwest of the site.<br>Residents of the project site would use local parks in the vicinity. According to the General Plan Land Use and Transportation Element Draft EIR, nearly 5.2 acres of park and open space are available per 1,000 city residents. Additionally, the Draft EIR for the Lawrence Station Area Plan projected population to be 174,500 in the City of Sunnyvale by 2035, which would reduce the parkland ratio to approximately 4.3 acres per 1,000 residents. Based on the projected population in the Draft EIR for the Lawrence Station Area Plan, the addition of approximately 468 residents would not result in a substantial reduction in the parkland ratio. The addition of 468 residents to the projected 2035 population would reduce the parkland ratio slightly but would remain approximately 4.3 acres per 1,000 residents. Although the project would incrementally increase use of community and regional parks and recreation facilities, the City would |

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| | | continue to meet the National Recreation and Park Association's standard of four to six park acres per 1,000 people. Additionally, increased demand for recreational facilities as a result of the project would not result in substantial physical deterioration of these facilities. Specifically, the proposed project is anticipated to increase the City population by 468 persons. The proposed project would not result in a substantial increase in demand for park or recreation services in the vicinity, such that new facilities would be required to serve the project. Therefore, the proposed project would not have an adverse impact related to the provision of park and recreational facilities. There are sufficient recreational facilities within a reasonable distance to accommodate the residents' needs.<br><br>**Source List:** 21, 41 |
| Transportation and Accessibility | 2 | Transportation impacts caused by the project vary depending upon the number of personal vehicle trips the project would generate, the availability of public transit, the bicycle network, and the completeness of the nearby pedestrian network. Close amenities serve to reduce the impacts to traffic. Each is discussed below in turn.<br><br>*Public Transit*<br><br>The project site is approximately 140 feet north of the Lawrence Caltrain Station, 6.2 miles west of the Milpitas BART station, and 2.8-mile southwest of the Great America ACE Amtrak Station.<br><br>*Personal Vehicles*<br><br>Trip generation rates were calculated using the Institute of Transportation Engineers (ITE) *10th Edition Trip Generation Manual* rates for Multifamily Housing (Mid-Rise) (ITE 221). Trip generation would result in 5.44 daily trips per dwelling per weekday, or approximately 957 total daily trips per weekday. The daily trip generation rate is lower for both Saturday and Sunday at 4.91 and 4.09 daily trips, respectively. This would result in approximately 864 daily trips on Saturdays, and approximately 720 trips on Sundays. Overall, the proposed project would result in approximately 2,541 total trips per week.<br><br>The City of Sunnyvale now uses vehicle miles traveled (VMT) to assess impacts related to transportation, consistent with Senate Bill 743. The City of Sunnyvale has developed and adopted VMT guidelines and thresholds to meet the State requirements set by SB 473 under Council Policy 1.2.8. As the City now uses VMT to analyze potential adverse impacts to transportation, the project's proximity to the Caltrain Lawrence Station, a high quality transit stop, places it within a designated transit priority area, and therefore the project is assumed to have a minimal VMT, as residents would be encouraged to use transit and active transportation methods such as bicycling or walking.<br><br>Additionally, bicycle parking would be provided sufficient to accommodate all residents and employees visiting the proposed building. The nature of the project is to provide affordable housing to low-income populations. This demographic commonly has lower vehicle ownership rates than those of market-rate housing |

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| | | developments. Furthermore, the transit-oriented nature of the project site and vicinity would further reduce personal vehicle traffic generated by the project. Overall, incremental increase in vehicle traffic would not be adverse.<br><br>*Pedestrian*<br>There are pedestrian sidewalks along Sonora Court, and in the vicinity of the project site. The proposed project would include pedestrian improvements including, development of new sidewalks that would be built around the north and east perimeter of the project site and would extend south to provide direct access to the Lawrence Caltrain Station, and northern to provide access to San Lorenzo Way. Street trees, precast planters, and seating pods would be constructed in various locations around the perimeter of the site as well. The project would not have an adverse impact on pedestrians or pedestrian infrastructure.<br><br>*Bicycle*<br>The project would provide 200 Class I bicycle parking spaces, approximately 141 extra spaces than is required, and 12 class II bicycle parking spaces.<br><br>*Conclusion*<br>Existing vehicle, bicycle and transit facilities are sufficient to adequately serve the project. The project would not increase the demand for transportation substantially above current conditions.<br><br>**Source List:** 21, 41 |

| Environmental Assessment Factor | Impact Code | Impact Evaluation |
|---|---|---|
| **NATURAL FEATURES** | | |
| Unique Natural Features, Water Resources | 2 | There are no water courses, creeks, streams, seasonal wetlands or other water resources on the project site. The site is devoid of exposed soil. The site is a flat, rectangular-shaped parcel. No unique features are located on the site. There are no active agricultural lands on or near the project site.<br><br>**Source List:** 16 |
| Vegetation, Wildlife | 2 | The project site is flat and contains no wetlands, vernal pools, riparian habitat or watercourses. The site is covered in impervious surfaces.<br>**Source List:** 16 |
| Other Factors | 2 | The project would provide affordable housing for individuals and families. The project would provide a safe, clean, and ADA accessible place for residents. The project is beneficial to both residents and the community. |

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**Additional Studies Performed**:

- Air Quality and Greenhouse Gas Report & Health Risk Screening Assessment, February 23, 2021, Rincon Consultants, Inc.
- CCR Title 24 Noise Study & Ground-borne Vibration Assessment Report, April 2021, Wilson Ihrig
- Cultural Resources Study, May 2021, Rincon Consultants, Inc.
- Noise and Vibration Study, July 2021, Rincon Consultants, Inc.
- Phase I Environmental Site Assessment, June 2021, Langan Engineering and Environmental Services, Inc.

**Field Inspection** (Date and completed by)**:**
Field Inspection, March 2, 2021. Completed by Leslie Trejo, Rincon Consultants, Inc.

**List of Sources, Agencies and Persons Consulted** [40 CFR 1508.9(b)]**:**


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## Attachments:

A. Air Quality and Greenhouse Gas Report & Health Risk Screening Assessment, February 23, 2021, Rincon Consultants, Inc.

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B. CCR Title 24 Noise Study & Ground-borne Vibration Assessment Report, April 2021, Wilson Ihrig
C. Cultural Resources Study, May 2021, Rincon Consultants, Inc.
D. Noise and Vibration Study, July 2021, Rincon Consultants, Inc.
E. Phase I Environmental Site Assessment, June 2021, Langan Engineering and Environmental Services, Inc.

## **Public Outreach** [24 CFR 50.23 & 58.43]**:**

MidPen Housing has provided a summary website for the proposed project since January 2021. MidPen Housing sent email notices to the Ponderosas Park Neighborhood Association on March 3, 2021 and again, on March 8, 2021. A meeting was also held with the project's next-door neighbor located at 1170 Sonora Court on March 25, 2021. MidPen Housing sent notices on March 18, 2021 to neighbors listed on a City provided mailing list alerting them of a community meeting to discuss the project. The community meeting was then held on April 5, 2021. In addition, meetings were held with school district staff to discuss the proposed project. MidPen Housing met with the Sunnyvale Elementary School District on April 6, 2021 and Fremont Union High School District on April 15, 2021.

## **Cumulative Impact Analysis** [24 CFR 58.32]**:**

The proposed project is a stand-alone action on the project site and is not part of a series of activities. Furthermore, the environmental and social impacts of potential future development on-site have been evaluated as part of the project. Therefore, the project would not result in additional cumulative impacts from future related actions.

## **Alternatives** [24 CFR 58.40(e); 40 CFR 1508.9]

**Offsite Alternative:**

Consideration of an offsite alternative is not warranted because there are no substantial adverse effects that would result from the project, or if potentially adverse effects were identified, mitigation has been required to reduce those potentially adverse effects to a less than significant level. The project would involve construction of a residential building on the specific site being studied.

**Reduced Project:**

Reducing the number of units and/or the square footage of non-residential space would provide less affordable housing within the project area. A reduced project with fewer units in a smaller building and that would accommodate a smaller residential population would have similar environmental impacts as the proposed project, but slightly lower in magnitude. In particular, by decreasing the number of residents on-site, a reduced residential project would reduce impacts associated with air quality, utilities, and transportation, but none of these impacts are adverse under the existing project.

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**No Action Alternative** [24 CFR 58.40(e)]:

If the proposed project were not implemented, the project site would continue not to contribute to providing low-income housing. Because there would be no construction and no operational changes under the No Action Alternative, it would have no adverse environmental effects. However, the No Action Alternative would not support the City's goals of increasing the availability of affordable housing units.

**Summary of Findings and Conclusions:**

The project would involve construction of a seven-story residential building with 176 dwelling units located in Sunnyvale.

The project would not have any potentially significant environmental impacts to the extent that an Environmental Impact Statement would be required. The project would result in minor adverse but mitigable impacts for several environmental issue areas, including Contamination and Toxic Substances, Hazards and Nuisances including Site Safety and Noise, and Noise Abatement and Control. For social impacts, the project would benefit low-income populations in Berkeley by providing affordable housing. For all remaining issue areas, the project is not expected to result in adverse effects.

## Mitigation Measures and Conditions [40 CFR 1505.2(c)]

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

| Law, Authority, or Factor | Mitigation Measure |
|---|---|
| Contamination and Toxic Substances | **Vapor Barrier.** Prior to building construction, the project applicant and contractor shall incorporate a vapor barrier membrane such as Tremco Vapor-Lock, ERO E. series products, or CETCO Liquid Boot. The implementation of which would prevent the potential for soil gas VOCs from migrating to indoor air. |
| Endangered Species | **Nesting Birds.** If project construction activities occur during the nesting season (between February 1st and August 31st) a qualified biologist shall conduct a pre-construction survey for nesting birds no more than 14 days prior to construction. The survey shall include the entire project site and a 300-foot buffer to account for nesting raptors. If nests are found the qualified biologist shall establish an appropriate species-specific avoidance buffer of sufficient size to prevent disturbance by project activity to the nest (up to 300 feet for raptors, up to 150 feet for all other birds).<br>During construction, active nests identified during the preconstruction survey shall be monitored by the qualified biologist to determine if construction activities are causing any disturbance to the bird and shall increase the buffer if it is determined the birds are showing signs of unusual or distressed behavior associated with project activities. |

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| | Atypical nesting behaviors that may cause nest abandonment include, but are not limited to, defensive flights, vocalizations directed towards project personnel/activities, standing up from a brooding position, and flying away from the nest. The qualified biologist shall have authority, through the construction manager, to order the cessation of all project activities if the nesting birds exhibit atypical behavior that may cause nest failure (nest abandonment and loss of eggs and/or young) until a refined appropriate buffer is established. To prevent encroachment, the established buffer(s) should be clearly marked by high visibility material. The established buffer(s) should remain in effect until the young have fledged or the nest has been abandoned as confirmed by the qualified biologist. The monitoring biologist, in consultation with the resident engineer and project manager shall determine the appropriate protection for active nests on a case by case basis using the criteria described above. The qualified biologist shall prepare a nest monitoring report at the time monitoring has been completed. The report will document the methods and results of the monitoring, and the final status of the nest (i.e., successful fledging of the nest, nest depredation, nest failure due to construction activity). |
| Historic Preservation | **Worker's Environmental Awareness Program**<br>A qualified archaeologist should be retained to conduct a Worker's Environmental Awareness Program training on archaeological sensitivity for all construction personnel prior to the commencement of any ground-disturbing activities. The training should be conducted by an archaeologist who meets or exceeds the Secretary of Interior's Professional Qualification Standards for archaeology (National Park Service 1983). Archaeological sensitivity training should include a description of the types of cultural material that may be encountered, cultural sensitivity issues, the regulatory environment, and the proper protocol for treatment of the materials in the event of a find.<br><br>**Unanticipated Discovery of Cultural Resources**<br>If archaeological resources are encountered during ground-disturbing activities, work in the immediate area should be halted and an archaeologist meeting the Secretary of the Interior's Professional Qualification Standards for archaeology (National Park Service 1983) should be contacted immediately to evaluate the find. If necessary, the evaluation may require preparation of a treatment plan and archaeological testing for NRHP eligibility. If the discovery proves to be significant and cannot be avoided by the project, additional work, such as data recovery excavation, may be warranted to mitigate any adverse effects to historic properties.<br><br>**Human Remains**<br>The discovery of human remains is always a possibility during ground-disturbing activities. If human remains are found, the State of California Health and Safety Code |

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| | Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. In the event of an unanticipated discovery of human remains, the County Coroner shall be notified immediately. If the human remains are determined to be prehistoric, the Coroner shall notify the NAHC, which will determine and notify a most likely descendant (MLD). The MLD shall complete the inspection of the site and provide recommendations for treatment to the landowner within 48 hours of being granted access. |

**Determination:**

☒ **Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]
The project will not result in a significant impact on the quality of the human environment.

☐ **Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]
The project may significantly affect the quality of the human environment.

Preparer Signature: DocuSigned by: Katherine Green 72BE7B5AC8DD4E6... Date: 09/29/2021

Name/Title/Organization: Katherine Green, AICP, Environmental Planner/Project Manager, Rincon Consultants, Inc.

Certifying Officer Signature: DocuSigned by: Kent Steffens 40B2D2DBFEDC4D8... Date: 10/01/2021

Name/Title: Kent Steffens, City Manager

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

**U.S. Department of Housing and Urban Development**
San Francisco Regional Office - Region IX
One Sansome Street, Suite 1200
San Francisco, California 94104-4430
www.hud.gov
espanol.hud.gov

**January 31,2022**

Mr. Preston Prince
Executive Director
Santa Clara County Housing Authority
505 West Julian Street
San Jose, CA 95110

SUBJECT: Environmental Review
1178 Sonora Court Affordable Housing

Dear Mr. Prince:

This is to acknowledge receipt of the Request for Release of Funds and Certification (form HUD-7015.15) for the project known as 1178 Sonora Court Affordable Housing, located at 1178 Sonora Court, Sunnyvale, CA.

The environmental review was performed under Part 58 and was signed by Kent Steffens, City Manager, in his capacity as the Certifying Officer on January 11, 2022. We have reviewed the environmental documentation you submitted and concur that the environmental review requirements have been met.

Enclosed please find a signed copy of the Authority to Use Grant Funds (form HUD-7015.16). Please keep a copy of this letter with all relevant background information for your file for audit purposes.

If you have any further questions, please contact Todd Greene, General Engineer, (415) 489-6438.

Sincerely,

Todd Greene

for Gerard R. Windt
Director
Office of Public Housing

Enclosure

# Authority to Use Grant Funds

**U.S. Department of Housing and Urban Development**
Office of Community Planning and Development

| **To:** (name & address of Grant Recipient & name & title of Chief Executive Officer) | **Copy To:** (name & address of SubRecipient or Secondary Contact) |
|---|---|
| Santa Clara County Housing Authority<br>505 West Julian Street<br>San Jose, CA 95110 | City of Sunnyvale<br>456 W Olive Ave.<br>Sunnyvale, CA 94086 |

| | |
|---|---|
| We received your Request for Release of Funds and Certification, form HUD-7015.15 on | 1/13/2022 |
| Your Request was for HUD/State Identification Number | |

All objections, if received, have been considered. And the minimum waiting period has transpired.
You are hereby authorized to use funds provided to you under the above HUD/State Identification Number.
File this form for proper record keeping, audit, and inspection purposes.

Program: Project-Based Section 8 Vouchers Program

Project: 1178 Sonora Court Affordable Housing

Description of project/activity:

The 1178 Sonora Court Affordable Housing Project (project) would involve the demolition of an existing commercial structure and subsequent construction, anticipated to begin early 2023 and last 24 months, of a seven-story residential building on the project site, operated by MP Sonora Court Associates, L.P. The project site itself will be leased from the City of Sunnyvale. Site preparation activities would include demolition, some excavation for foundation and utilities work, and grading of the site prior to construction of the residential building. The project would consist of a seven-story building, 75 feet in height, with 176 units and associated amenities including laundry rooms, mail rooms, and building management offices. There would be 134 parking spaces, including 17 electric vehicle spaces and 13 ADA parking spaces, and 212 bicycle parking spaces proposed as part of the project which would be located on the first and second floor of the residential building.

The Santa Clara County Housing Authority (SCCHA) will be providing assistance to the project in the form of Section 8 Project Based Vouchers (PBVs) for 15 2-bedroom units and 15 3-bedroom units, as authorized under Section 8 of the Housing Act of 1937, as amended. PBV housing assistance will be provided for an initial contract term of up to 20 years, with a possible automatic renewal of up to an additional 20 years, subject to annual appropriations from the federal government and SCCHA's determination that the owner is in compliance with the Housing Assistance Payment contract, HUD's requirements, and SCCHA's policies. The estimated total funding for rental subsidy is $27,856,800 ($1,392,840 annually) for the initial 20-year term of the Housing Assistance Payment contract and contingent upon the availability of Section 8 funds as allocated by the federal government. The actual funded amount may be up to $5,000,000 more due to market fluctuations.

| Typed Name of Authorizing Officer: | Signature of Authorizing Officer | Release Date: |
|---|---|---|
| Gerard R. Windt<br><br>Title of Authorizing Officer<br>Director<br>Office of Public Housing | Todd Greene for Gerard R. Windt | January 31, 2022 |

Previous editions are obsolete.

form **HUD-7015.16** (2/94)
ref. Handbook 6513.0